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EXAMINER

NGUYEN, LE V

ART UNIT PAPER NUMBER

2174

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/757,741

Applicant(s)

MUNRO ET AL.

Examiner

Le Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 5/3/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/3/2004.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This communication is responsive to a request for reconsideration, filed 5/3/2004.
2. Claims 1-28 are pending in this application. An amendment and applicant arguments or remarks have not been included. Therefore, this action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Objections***

4. Claim 22 is objected to because of the following informalities: "predetermined setting comprising a value" needs to be changed to -- predetermined setting comprises a value --. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 22 recites the limitation "the web page" in line 2 of claim 22. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

7. Claims 1-4, 9-10, 15-17 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan") in view of Mernyk et al. ("Mernyk").

As per claim 1, Tyan teaches an apparatus, comprising a computer readable media and a program written in a page description language and embedded on the computer readable media, the program to provide instructions, which when executed by a machine, cause the machine to display and to manipulate a bitmap image within a window in a network system (col. 1, lines 9-48), the bitmap image having a hierarchical system of folders associated with the bitmap image wherein the hierarchical system of folders comprise the image having a folder, the folder having content, and the content being within the folder (col. 4, line 34 through col. 5, line 3). Tyan does not explicitly disclose the hierarchical system of folders to be accessible through the displayed image. Mernyk teaches an apparatus, comprising a computer readable media and a program on the computer readable media, the program to provide instructions, which when executed by a machine, cause the machine to display and to manipulate a bitmap image within a window a hierarchical system of folders to be accessible through the displayed image (Abstract; col. 3, lines 29-50; fig. 2 and respective portions of the specification). Therefore, it would have been obvious to an artisan at the time of the invention to include Mernyk's method of displaying and manipulating a bitmap image within a window having a hierarchical system of folders to be accessible through the displayed image with Tyan's method of displaying and manipulating a bitmap image within a window having a hierarchical system of folders in order to provide users with a visual method of quickly accessing as well as distinguishing a large number of data.

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As per claim 2, Tyan teaches an apparatus wherein the hierarchical system of folders comprise the image having a folder, the folder having content, and the content being within the folder (col. 4, line 34 through col. 5, line 3).

As per claim 3, Tyan teaches an apparatus wherein the hierarchical system of folders wherein content is one in a group consisting of a subfolder, a graphic object, a text document, a hyperlink, a border information, an image map, or an image address (col. 4, line 34 through col. 5, line 3).

As per claim 4, Tyan teaches an apparatus and wherein the network system is one in a group of a client server system, a World Wide Web, an Internet, a mobile phone network, a first device in communication with a second device (col. 1, lines 9-48)

Claims 9, 15 and 24 are individually are similar in scope to claim 1 and are therefore rejected under similar rationale.

As per claim 10, Tyan teaches an apparatus comprising concurrently displaying in the window multiple bitmap images (col. 1, lines 26-28).

Claim 16 is similar in scope to claim 4 and is therefore rejected under similar rationale.

Claim 17 is similar in scope to claim 2 and is therefore rejected under similar rationale.

8. Claims 5-6, 11-12 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan") in view of Mernyk et al. ("Mernyk") as applied to claims 1, 9 and 24 respectively, and further in view of Scott et al. ("Scott").

As per claims 5 and 6, although Tyan teaches an apparatus wherein the bitmap image may be manipulated (*i.e. inherent to a browser environment is the ability to manipulate bitmap images such as zoom in, zoom out, select a region of interest, etc.*), Tyan does not explicitly

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disclose an apparatus wherein manipulation is in the form of scaling the bitmap image to a new size with data stored in the cache until the program decodes data corresponding to the new size. Scott teaches progressive JPEG wherein upon a request for an image file or a request to scale the image file, the program stores the image in cache and the image is shown in progressively multiple levels of resolution until the program finishes decoding data corresponding to the new file (col.40, lines 61-63; col. 19, line 57 through col. 20, line 17; *wherein images shown in progressively multiple levels of resolution is inherent in progressive JPEG in order to gradually display the image*). Therefore, it would have been obvious to an artisan at the time of the invention to include Scott's teaching of progressive JPEG for images having multiple levels of resolution and images stored in cache until the program decodes data corresponding to a new data request such as scaling to Tyan's method of manipulating images in order to provide users with the ability to view images with increasingly detailed versions of the picture until the entire file finishes downloading.

Claims 12 and 27 are individually similar in scope to the combination of claims 5 and 6 and are therefore rejected under similar rationale.

Claims 11 and 26 are individually similar in scope to the combination of claims 5 and 6 and is therefore rejected under similar rationale except for the limitation that the bitmap image is from an image database, which Scott teaches (col. 20, lines 1-13).

9. Claims 7-8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan") in view of Mernyk et al. ("Mernyk") as applied to claims 1 and 9 respectively, and further in view of Takeuchi et al. ("Takeuchi").

As per claims 7 and 8, although Tyan teaches an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to manipulate objects (col. 1, lines 9-48), Tyan does not explicitly disclose the apparatus to include establishing a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed wherein the object is one in a group consisting of the bitmap image, a folder, content associated with the bitmap image, or content associated with the folder. Takeuchi teaches an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to establish a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed wherein the object is one in a group consisting of the bitmap image, a folder, content associated with the bitmap image, or content associated with the folder (Abstract; figs. 9-19). Therefore, it would have been obvious to an artisan to include Takeuchi's teaching of an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to establish a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed to Tyan's apparatus comprising instructions, which when executed by the machine, cause the machine to display and to manipulate objects in order to provide users with a step-by-step logical representation of information.

Claim 14 is similar in scope to the combination of claims 7 and 8 and is therefore rejected under similar rationale.

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan") in view of Mernyk et al. ("Mernyk") as applied to claim 10, and further in view of Scott et al. ("Scott").

As per claim 13, although Tyan teaches a method of displaying and manipulating bitmap images (col. 1, lines 9-48), Tyan does not explicitly disclose the bitmap image to be compressed according to a block based integer wavelet transform coding scheme. Scott teaches a method of utilizing discrete wavelet transform compression techniques for image compression (col. 16, lines 52-58). Therefore, it would have been obvious to an artisan to include Tyan's method of displaying and manipulating bitmap images to Scott's method of utilizing discrete wavelet transform compression techniques for image compression in order to provide users with compression efficiency.

11. Claims 18-19 and 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan") in view of Mernyk et al. ("Mernyk") as applied to claims 15 and 1 respectively, and further in view of Scott et al. ("Scott").

As per claim 28, although Tyan teaches an apparatus wherein the bitmap image may be manipulated (*i.e. inherent to a browser environment is the ability to manipulate bitmap images such as zoom in, zoom out, select a region of interest, etc.*), Tyan does not explicitly disclose an apparatus wherein manipulation is in the form of scaling the bitmap image to a new size with data stored in the cache until the program decodes data corresponding to the new size. Scott teaches progressive JPEG wherein upon a request for an image file or a request to scale the



image file, the program stores the image in cache and the image is shown in progressively multiple levels of resolution until the program finishes decoding data corresponding to the new file (col.40, lines 61-63; col. 19, line 57 through col. 20, line 17; *wherein images shown in progressively multiple levels of resolution is inherent in progressive JPEG in order to gradually display the image*). Therefore, it would have been obvious to an artisan at the time of the invention to include Scott's teaching of progressive JPEG for images having multiple levels of resolution and images stored in cache until the program decodes data corresponding to a new data request such as scaling to Tyan's method of manipulating images in order to provide users with the ability to view images with increasingly detailed versions of the picture until the entire file finishes downloading.

Claims 18 and 19, in combination, is similar in scope to claim 28 and is therefore rejected under similar rationale.

12. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan") and Mernyk et al. ("Mernyk") as applied to claim 15, in view of Scott et al. ("Scott") as applied to claim 18, and further in view of Takeuchi et al. ("Takeuchi").

As per claims 20 and 21, although Tyan teaches an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to manipulate objects (col. 1, lines 9-48), Tyan does not explicitly disclose the apparatus to include establishing a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed wherein the object is one in a group consisting of the bitmap image, a folder, content associated with the bitmap image, or content associated with

the folder. Takeuchi teaches an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to establish a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed wherein the object is one in a group consisting of the bitmap image, a folder, content associated with the bitmap image, or content associated with the folder (Abstract; figs. 9-19). Therefore, it would have been obvious to an artisan to include Takeuchi's teaching of an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to establish a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed to Tyan's apparatus comprising instructions, which when executed by the machine, cause the machine to display and to manipulate objects in order to provide users with a step-by-step logical representation of information.

Claim 22 is similar in scope to claim 21 and is therefore rejected under similar rationale.

13. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan") and Mernyk et al. ("Mernyk").

As per claim 23, although Tyan teaches an apparatus comprising a bitmap image wherein the hierarchical system of folders are associated with the bitmap image (col. 1, lines 9-48), Tyan does not explicitly disclose that the apparatus comprises a means for concurrently displaying in the window multiple bitmap images. However, Tyan discloses concurrently displaying in the window multiple bitmap images in a description of the related art (col. 1, lines 26-31). Therefore,

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it would have been obvious to an artisan at the time of the invention to include concurrently displaying in the window multiple bitmap images to Tyan's apparatus comprising a bitmap image wherein the hierarchical system of folders are associated with the bitmap image in order to provide users with a view of related images.

14. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan") in view of Mernyk et al. ("Mernyk").

As per claim 25, although Tyan teaches an apparatus comprising a bitmap image wherein the hierarchical system of folders are associated with the bitmap image (col. 1, lines 9-48), Tyan does not explicitly disclose that the apparatus comprises a means for concurrently displaying in the window multiple bitmap images. However, Tyan discloses concurrently displaying in the window multiple bitmap images in a description of the related art (col. 1, lines 26-31). Therefore, it would have been obvious to an artisan at the time of the invention to include concurrently displaying in the window multiple bitmap images to Tyan's apparatus comprising a bitmap image wherein the hierarchical system of folders are associated with the bitmap image in order to provide users with a view of related images.

#### *Response to Arguments*

15. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Inquires***

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê whose telephone number is (703) 305-7601. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN  
Patent Examiner  
June 6, 2004

*Kristine Kincaid*  
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